

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

United States of America

v.

Leon B. HENSLEY

Case No. 21-mj-2819

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 2017 thru November 2019 in the county of Montgomery in the
Middle District of Tennessee, the defendant(s) violated:

Code Section

18 U.S.C. Section 2251(a), (e)

Offense Description

Attempted Production of Child Pornography

This criminal complaint is based on these facts:

See Attached statement in support of complaint

☒ Continued on the attached sheet.


Complainant's signature

S/A Jonathan Hendrix / HSI

Printed name and title

Sworn to me remotely by telephone, in compliance with
Fed. R. Crim. P. 4.1.

Date: May 5, 2021


Judge's signature

City and state: Nashville, Tennessee

Jeffery S. Frensley, United States Magistrate Judge

Printed name and title

AFFIDAVIT OF JONATHAN HENDRIX
HOMELAND SECURITY INVESTIGATIONS

Jonathan Hendrix, being first duly sworn on oath, states as follows:

1. I am a Special Agent (SA) of the United States Department of Homeland Security, Homeland Security Investigations (HSI), and I am assigned to the Office of the Special Agent in Charge in Nashville, Tennessee. HSI is responsible for enforcing federal criminal statutes involving the sexual exploitation of children under Title 18, United States Code, Section 2251, et seq. I have been employed as a Special Agent of the U.S. Department of Homeland Security since its inception in 2002. Previous to this employment, I was a Special Agent with the United States Customs Service. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the United States Customs Service Basic Enforcement School, where I received training in the investigation of child pornography and other violations of law. During the course of my duties I have been the investigating officer and affiant of applications for search/arrest warrants relating to federal and state child pornography investigations
2. This affidavit is submitted in support of a Criminal Complaint for the arrest of LEON B. HENSLEY, for the following offenses: beginning in or about August 2017 through November 2019, in the Middle District of Tennessee, LEON B. HENSLEY:
 - a. Did unlawfully attempt to employ, use, persuade, induce, entice, or coerce any minor to engage in, or have a minor assist any other person to engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, if that person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, in violation of 18 U.S.C. § 2251(a).
3. The following information contained in this affidavit is based on my training and experience, my personal participation in this investigation and information provided to me by other law enforcement officials. Unless otherwise indicated, where I have referred to written or oral statements, I have summarized them in substance and in part, rather than verbatim. Not all of the facts of the investigation known to me are contained herein, only those necessary to establish probable cause for the arrest of LEON B. HENSLEY.

Investigation

4. In November 2019, the Clarksville, TN Police Department (CPD) received a Department

of Children Services (DCS) referral advising that Leon Burnett HENSLEY (hereafter referred to as HENSLEY), sent a digital image via text message of a nude adult female to a Minor Female in the Clarksville, TN area. The photo depicted the nude adult female with caution tape wrapped around her body covering only her genital area and left breast. The right breast was exposed completely. CPD Detectives stated the photo was sent by HENSLEY during a text conversation between HENSLEY and the Minor Female about HENSLEY taking school photos for the Minor Female. During this conversation, HENSLEY asked the Minor Female to help him with a photo shoot by posing for photos. DCS contacted CPD concerning the report.

5. CPD conducted routine record checks on HENSLEY, which revealed he was employed as the School Nurse at North East High School (NEHS) in Clarksville, TN. HENSLEY had been employed as the school nurse since August 2017. On November 7, 2019, CPD Detectives responded to North East High School and encountered HENSLEY in the Nurse's office. Detectives asked HENSLEY to drive to the Clarksville Police Department for an interview concerning the referral. HENSLEY consented to an interview and followed Detectives to the Clarksville Police Station.
6. During the interview, HENSLEY stated he did have conversations with the Minor Female about taking school photos of her. Detectives requested consent to search his cell phone. HENSLEY granted consent to the Detectives and signed a written waiver granting consent to the CPD Detectives. Later, HENSLEY's cellular device was turned over to CPD Mobile Forensic Examiner for examination.
7. During the examination of HENSLEY's cellular device, the CPD Mobile Forensic Examiner discovered a folder named "decoy folder" containing several images that depicted the sexual exploitation of children. The images depicted postpubescent minor children's exposed genitalia. On November 15, 2019, CPD Detectives obtained a state search warrant for HENSLEY's residence for violation of TCA, 39-13-1003 Sexual Exploitation of a Minor and 39-17-1005 Especially Aggravated Sexual Exploitation of a Minor. Later that evening, CPD Detectives executed the search warrant and seized numerous electronic devices from HENSLEY's residence. HENSLEY was not arrested at that time. Among the electronic items seized from HENSLEY's residence was a small black covert video camera (Item 12). The black recorder did not have a visible serial number or any additional identifiers. Open research queries (Google) were conducted in an effort to identify the black recorder or a comparable device. The closest comparable device appears to be what is identified as a "hidden spy camera" manufactured by Corprit. Their products are manufactured in China. The black recording device did not have any independent storage capacity but stored recorded data on a Micro SD storage card provided by the user.
8. Later during the examination of HENSLEY's cellular device, Detectives discovered several folders contained in the decoy folder under a sub folder file name of "NEHS." (Agent's Note: Agents believe NEHS stands for North East High School) These folders were labeled with what appeared to be first names. Using the school yearbook, CPD Detectives were able to identify five students at North East High School from the folder

names that were current students at the time of the execution of the search warrant. All of these images were sent to HENSLEY by the children. Several of the images located in the named folders depicted the children's genitals, and the focus of the camera was on the children's genitals. The children's faces were also visible in several of the images. Detectives contacted each of the five suspected child victims. Each child confirmed she was the person depicted in the images. Two of the child victims stated they believed they were sending the nude images to a fellow student at North East High School and had sent the images via a popular social media platform. The other three child victims stated they believed they were sending the images to a modeling agency. None of the child victims knew they were sending images to HENSLEY.

9. A short time after the execution of the search warrant, all electronic items were turned over to Special Agent Matthew Stephenson of the United States Secret Service (USSS) in Nashville, TN for a more thorough examination. SA Stephenson completed the forensic examination of the devices, which took several months due to the volume of data. SA Stephenson returned the completed findings back over to CPD Detectives for further investigation. The external hard drive that contained the imagery described in this affidavit was manufactured in China.
10. A review of the USSS completed forensic findings revealed an enormous amount of imagery discovered on HENSLEY's devices to be reviewed by CPD Detectives. They located several imagery files depicting what appeared to be unidentified postpubescent minor females photographed surreptitiously by a hidden camera while using a restroom. Other imagery files located by CPD Detectives depict unidentified postpubescent females in hospital examination rooms, pre-operation or post operation rooms, and nude females in tanning beds. All of these females were seemingly filmed without their knowledge. On or about April 2021, CPD Detectives contacted U.S. Department of Homeland Security, HSI, for assistance with this investigation and to inquire about federal prosecution, and I was assigned to the case.
11. I received a copy of the completed forensics examinations concerning HENSLEY's devices. When I reviewed the imagery on HENSLEY's devices, I discovered over 500,000 imagery files to sort and review. I used a versatile software platform for digital media investigations to begin reviewing the imagery. In addition, I was able to determine through open source queries that the electronic devices seized that contained the imagery files were not manufactured in the State of Tennessee. The review is still ongoing.
12. To date, I have located over 700 imagery files of postpubescent minor females in a single bathroom in various stages of undress and/or utilizing the bathroom facilities that appear to have been taken by a hidden or concealed camera. The camera was positioned in such a manner as to capture or attempt to capture the lewd and lascivious display of the genitalia. The camera was positioned in the same location in all of the imagery files. The camera was positioned directly across and in front of the toilet seat, at toilet seat level.
13. I contacted CPD Detectives to inquire about HENSLEY's work history with NEHS and previous employment as a nurse prior to his employment at NEHS. CPD Detectives stated

HENSLEY was the nurse from August 1, 2017, through November 8, 2019, at NEHS when he was terminated as a result of the CPD investigation. Before his employment at NEHS, HENSLEY was employed as a nurse at Tennova Hospital and Healthcare in Clarksville, TN. I also located imagery depicting unidentified postpubescent females in hospital examination rooms, pre-operation or post operation rooms, and nude females in tanning beds. All of these videos and photographs were seemingly taken without the victims' knowledge. Some of these image files contain metadata that includes GPS data. To date, over 200 files have been located on the seized devices concerning this activity, seven (7) of those files geolocate to Tennova Hospital in Clarksville, TN. One such file is described below:

- a. File name: IMG_4208.mov
Last Access Date: November 7, 2019
Length: approximately 13 seconds in length
Content: The video depicts an unknown postpubescent female in what appears to be a hospital exam room laying on a hospital bed with white and blue print sheets. No face is visible in the video. The camera seems to be worn by the person who then lifts the bed sheet up exposing the unknown female's genitals. There is a catheter inserted into the genital area of the female. This victim has not been identified to date as the investigation is still ongoing.
14. CPD Detectives went to NEHS and took pictures of the student bathroom in the nurse's station in an attempt to identify the bathroom and victims in the discovered hidden camera bathroom imagery located on HENSLEY's devices. Early in April 2021, a CPD detective met with me to review the bathroom imagery. The CPD detective confirmed the bathroom depicted in the imagery is the private student bathroom in the Nurse's station that HENSLEY allowed NEHS students to use as part of his duties.
15. HSI Nashville and CPD reviewed the bathroom imagery and concluded the female victims in the imagery were all students at NEHS when HENSLEY was employed as the NEHS nurse. HSI and CPD were able to presumptively identify over 40 student victims captured by the hidden camera HENSLEY used in the nurse's student bathroom. The identification process is still ongoing. The full extent and scope of HENSLEY's criminal conduct with NEHS victims is unknown. Investigators are approximately halfway through the suspect imagery with over 40 student victims suspected to date. (Agent's Note: Victims range in age from 12 to 18 years of age. 25 of the suspected victims would not have reached their 18th birthday prior to HENSLEY's termination by NEHS.)
16. On April 28, 2021, HSI and CPD positively identified five (5) of the suspected minor victims from NEHS. HSI and CPD met with the parents of the victims concerning the suspect imagery. Parents of all five minor student victims were able to positively identify the victims in the imagery as their minor children and students at NEHS during the time frame HENSLEY was employed at NEHS. The ages of the five (5) child victims ranged from 12 to 17 years of age at the time of incidents. Each video file depicted similar activity of each child. Each victim was in the student nursing bathroom using the toilet or replacing feminine hygiene products. The children's faces are visible in the imagery. The placement

of the hidden camera appears to be the same in each video file. The camera is located directly across from the toilet at toilet seat height and captures or attempts to capture the child's genitals as the child sits, uses, or stands from the toilet. A description of one of the videos depicting an identified minor victim is described below.

- a. File Name: 31819(15).AVI
Last Access Date: November 7, 2019
Length: approximately 59 seconds
Content: The video depicts a postpubescent minor female in the NEHS nurse's student bathroom wearing a dark long sleeve shirt and dark pants. The minor victim then lowers her pants and sits on the toilet. As the minor victim begins to sit on the toilet, the child's genital area and pubic hair are visible. The minor victim retrieves toilet paper and uses the toilet. The minor victim then wipes her genital area and stands up while pulling her pants up. The minor victim then exits the nurse's bathroom.

- 17. The imagery concerning the NEHS child victims in the nurse's station and the imagery depicting unknown postpubescent females in hospital examination rooms, pre-operation or post operation rooms, and nude females in tanning beds appear to have been placed in the recycle bin or attempted to have been deleted from the device when reviewing the USSS examination results. The files appear to have been deleted later in the evening on November 7, 2019. This was after CPD conducted an interview with HENSLEY concerning the DCS referral earlier in the day. CPD executed the state search warrant on HENSLEY's residence on November 15, 2019, which was eight (8) days later.